

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**PAT BRITTON, Personal  
Representative of the Estate of  
JESSE BRITTON, Deceased,**

**Plaintiff,**

**v.**

**RICHARD THOMPSON, in his Official  
and Individual Capacities; DAN  
KLING, in his Official and Individual  
Capacities; and CITY OF  
CRAWFORD, a Nebraska Political  
Subdivision,**

**Defendants.**

**CASE NO. 7:08CV5008**

**MEMORANDUM  
AND ORDER**

This matter is before the Court on Plaintiff's Motion for Reconsideration (Filing No. 69). Plaintiff seeks reconsideration of the Court's July 29, 2009, Order (Filing No. 68) which denied Plaintiff's Motion to Extend Time and Objection to Stay Discovery and ordered Plaintiff to respond to each of the Defendant's Motions for Summary Judgment on or before August 14, 2009.

The Court has carefully reviewed Plaintiff's Motion and finds no good cause for reconsideration of any portion of its July 29, 2009, Order. Plaintiff's Motion does not fit within any of the grounds for relief listed under Federal Rule of Civil Procedure 60(b). Rule 60(b) does not provide a vehicle to reargue a motion on the merits. *Broadway v. Norris*, 193 F.3d 987, 990 (8th Cir. 1999). Plaintiff's Motion is therefore denied in its entirety.

IT IS ORDERED that Plaintiff's Motion for Reconsideration regarding Court's Order (Filing No. 69) is denied.

DATED this 19<sup>th</sup> day of August, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge